



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: March 28, 2017

Time: 6:30 PM

Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA

1. ROLL CALL

Roll Call showed 9 present.

Mayor Kennedy presiding.

C. Mercier requested moment of silence in darkened chamber for William Merrill.

2. CITY CLERK

2.1. Minutes of Parks & Recreation SC March 21st; City Council March 21st, for acceptance.

In City Council, minutes read, **Motion** "To accept and place on file" by C. Rourke, seconded by C. Samaras. So voted.

3. COMMUNICATIONS FROM CITY MANAGER

3.1. Motion Responses

In City Council, read, **Motion** "To accept and place on file" by C. Milinazzo, seconded by C. Samaras. So voted.

(A) Stone Building on the Corner of Rock and Mt. Vernon St. – None.

(B) Special Event Permit Approval Process. – C. Rourke introduced Al Saba, who addressed the Council regarding permitting. Henri Marchand (Special Events) commented on application and permit. Manager Murphy noted possible change to noise ordinance. C. Mercier noted the response was a good resource. C. Samaras noted that neighborhood groups should be notified and that it should be translated in different languages.

(C) Naming Rights of City Owned Parcels. – C. Belanger noted favorable legal opinion as well as financial benefits. Manager Murphy commented on status of request for proposals being prepared noting any revenue would go back into the facilities.



(D) Business Improvement District in the Downtown Area. – C. Leary questioned the reason for the delay. Thomas Lamond (DPD) noted the current lack of interest on part of businesses and that they will develop the program moving forward. Manager Murphy noted that it was a money issue for some businesses. C. Belanger noted extra time will enable more outreach to community. Mr. Lamond noted the continued attention the program will receive. C. Samaras noted that meeting with downtown businesses concerning this and any other issues would be beneficial to convey information.

(E) Debt Exclusion Process Relating to the LHS Project. – Armand Hebert, registered speaker, addressed the body. C. Leary noted the financial challenges and the existence of an excess levy. **Motion** by C. Leary, seconded by C. Milinazzo to refer matter to Finance SC. So voted. C. Mercier noted the figures are often changing. Manager Murphy stated he would keep Council informed of any changes and update figures. C. Milinazzo commented on excess levy. Conor Baldwin (CFO) noted excess levy could absorb full amount. C. Milinazzo noted the debt service on each option as it stands this date and requested same. C. Samaras noted the financial flexibility available. Mr. Baldwin compared debt exclusion to paying through excess levy noting easier payment path by using excess levy. Mr. Baldwin noted excess levy is available because of strict tax policies. C. Samaras noted the proper money management on part of the administration. C. Leary commented on taxes and the availability of use of excess levy and that flexible money management would be beneficial. C. Leary noted that the high school needs to be replaced. C. Elliott noted the information was good and that it is an eye opener for what is ahead and the financial impact to come. C. Elliott focused on average homeowners home value and financial impact. C. Elliott noted that area businesses should be part of process as well. C. Belanger noted that the levy would be permanent and that debt exclusion would only last for as long as the loan.

M. Kennedy requested Item # 3.4 be taken out of order. No objections. So voted.

3.2. Communication-Article 97 Cawley Stadium.

In City Council, read, **Motion** “To accept and place on file” by C. Mercier, seconded by C. Samaras. So voted. Armand Hebert, registered speaker, addressed the body. C. Mercier commented on sponsorships and partnerships concerning the replica fields required by the State. Manager Murphy noted that they were able to reduce required five replications down to three.

M. Kennedy requested that Item #4.1 be taken together with this item. No objections. So voted.

3.3. Communication-Accept resignation of James A. Peters-Zoning Board of Appeals.



In City Council, read, **Motion** "To accept and place on file" by C. Mercier, seconded by C. Elliott. So voted.

3.4. Communication-Appoint James A. Peters, Jonathan M. Geer and Andrew W.J. Kollar to Sustainability Council

In Council, **Motion** to adopt by C. Elliott, seconded by C. Leahy. Adopted per Roll Call vote 9 yeas. So voted.

3.5. Communication - City Manager request Out of State Travel (3) LPD.

In Council, **Motion** to adopt by C. Milinazzo, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted.

4. **VOTES FROM THE CITY MANAGER**

4.1. Vote-Special Legislation relative to Article 97.

In City Council, Given 2nd reading, **Motion** to adopt by C. Leary, seconded by C. Elliott. Adopted per Roll Call vote 7 yeas, 2 nays (C. Milinazzo, M. Kennedy). So voted. C. Elliott questioned if City would be responsible for property located in adjacent town. Manager Murphy noted that he would question State regarding that issue in upcoming meeting. C. Rourke questioned documentation supporting State's position. Atty. Veloso (Law Dept.) commented on documentation including the agreement and the application. Manager Murphy noted that there is a dispute with State regarding amount of replication. C. Rourke noted that the State documents do not support their position. Armand Hebert and Eric Nelson, registered speakers, addressed the body. M. Kennedy relinquished Chair to Vice Chair Rourke at 7:30 PM. M. Kennedy commented on the history of the project and early information that was made available. M. Kennedy noted the need to improve the high school to receive accreditation. M. Kennedy commented on changes to reimbursement formula, costs and use of modular classrooms. M. Kennedy commented on costs, including outside costs like bussing and infrastructure. M. Kennedy reviewed the introduction of Article 97 to the process and the lack of grant paperwork. M. Kennedy questioned the timing of sending options to the State. Atty. O'Connor (Law Dept.) commented on the open space discussion with the State. M. Kennedy questioned remaining time line on the process. Manager Murphy outlined the current time frame. M. Kennedy noted the process for Article 97 is important measure to preserve open space. M. Kennedy noted he could not support forwarding the most expensive option to the State. C. Leary noted this is a vote to move all options forward for competitive purposes and not a money vote at this juncture. C. Elliott noted keeping four options in play is a fair approach and supported in the past. C. Mercier commented on the process and that the Manager is moving it forward as requested by the Council



and that forwarding four options is a fair approach. C. Milinazzo noted he could not support the vote and further noted that the State is already in possession of all four options. C. Milinazzo commented on the Board of Parks meeting noting it was not helpful to the process. C. Samaras supported the vote and noted a project of this scope will encounter problems and information will change. C. Samaras noted the main objective in all of this is a great high school and that this administration and City Council are working hard to achieve that. C. Samaras noted the challenge is to have timely accurate information. Manager Murphy noted figures would clarify after all feasibility studies are complete. C. Samaras commented that it is a good Council and administration trying to do the right thing. C. Belanger noted the public input in the process and the need for a new high school. C. Belanger noted financial comment is important but it must wait for solid figures. C. Belanger supported vote as it was fair and voiced his disappointment with not including the South Common as one of the sites. C. Rourke returned Chair to M. Kennedy at 8:48 PM.

4.2. Vote - Endorse MSBA Preliminary Design Program Capital Budget Statement.

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Rourke, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

5. ORDERS FROM THE CITY MANAGER

5.1. Order-60 day trial (various).

In City Council, Read twice, full reading waived with no objections, **Motion** to adopt by C. Mercier, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

6. REPORTS (SUB/COMMITTEE, IF ANY)

None.

7. CITY COUNCIL - MOTIONS

7.1. C. Milinazzo - Req. City Mgr. provide a report to the City Council regarding trash fines collected over the last 12 months per the City ordinance.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Milinazzo noted the amount of calls regarding the issue and mostly concern multi-family units. C. Leahy commented on the amount of calls he receives as well.

7.2. C. Elliott - Req. City Mgr. provide a list of vacancies on Boards and Commissions.



In City Council, seconded by C. Belanger, referred to City Manager. So voted. C. Elliott requested quarterly reports so that information would be available. Manager Murphy noted that it would be posted on website as well. C. Elliott noted motion was responded to. C. Mercier noted it was important to know the term expiration dates as well.

7.3. C. Elliott - Req. City Mgr. provide a report regarding “change for change” initiative relative to panhandling.

In City Council, seconded by C. Belanger, referred to City Manager. So voted. C. Elliott requested update on program and its success. Manager Murphy noted other initiatives moving forward as well. C. Belanger noted the message needs to be out there of options available to assist.

7.4. C. Elliott/C. Leahy - Req. City Council vote to lift parking restrictions in downtown on weekends.

In City Council, no second needed, referred to City Manager. So voted. C. Leahy noted the need to revisit parking situation on the weekends and not necessarily vote upon it. C. Elliott amended same with no objection to replace vote with request report from Manager with goal to achieve responsible approach. C. Belanger commented on parking issues downtown during the weekends noting any regulations must be business friendly. C. Elliott commented that other communities may have relevant information in addressing the issue. C. Leahy noted once report is received it should be sent to proper subcommittee for review. C. Mercier commented on revenue being made during the weekend and noted that there is no enforcement on Sundays.

7.5. C. Samaras/C. Leahy/C. Leary - Req. City Mgr. have proper department repair potholes on June Street, in addition provide time line for repaving of June Street going towards Robinson School.

In City Council, no second needed, referred to City Manager. So voted. C. Samaras noted the neighborhood concern and the need.

7.6. C. Leary - Req. City Mgr. provide City Council with the 2017/2018 budget presentation timeline.

In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Leary noted the upcoming budget season.

7.7. C. Leary - Req. City Mgr. review the use of cameras at City park locations.



In City Council, seconded by C. Leahy, referred to City Manager. So voted. C. Leary questioned the rotation of cameras and noted the issue in parks large and small in the City.

7.8. C. Belanger - Req. City Mgr. update City Council regarding City's financial outlook after approval of bonding for the Lowell High School project.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Belanger noted the taxpayer will be paying for project and need to have information regarding ability for future financial maneuvers. C. Elliott noted some information has been provided. **Motion** to refer matter to Finance SC by C. Elliott, seconded by C. Leary. So voted.

M. Kennedy relinquished Chair to Vice Chair Rourke at 8:30 PM.

7.9. M. Kennedy - Req. City Mgr. have the proper department install a street light in the vicinity of 5 W Tenth Street.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. M. Kennedy noted request by citizens noting that lighting is poor in the area and attracts vagrants.

7.10. M. Kennedy - Req. City Mgr. consider providing municipal funding for the Jack Kerouac Festival in October.

In City Council, seconded by C. Milinazzo, referred to City Manager. So voted. M. Kennedy noted the festival should be higher profile and beneficial to the City. C. Samaras supported the effort to enhance the festival.

7.11. M. Kennedy - Req. City Mgr. consider establishing a translation bureau in the lobby of City Hall on Tuesdays, in order to provide interpreters in Spanish, Khmer, Portuguese and any other relevant languages.

In City Council, seconded by C. Samaras, referred to City Manager. So voted. M. Kennedy commented on the need in City Hall. C. Belanger questioned the use of closed caption on LTC broadcast. C. Samaras noted Lowell High School would be great resource for translators. C. Leahy noted closed captioned for the meetings. C. Leary noted different languages for the website. C. Milinazzo commented on a language review line in the facility.

7.12. M. Kennedy - Req. City Mgr. consider and report to the Council on the feasibility of having the City of Lowell participate in the Clean River Project.



In City Council, seconded by C. Milinazzo, referred to City Manager. So voted. M. Kennedy commented on the organization and the small financial contribution towards keeping rivers clean. C. Elliott commented on the group and noted it was a great resource.

8. ANNOUNCEMENTS

In City Council, C. Rourke noted upcoming subcommittee meeting of the Lowell School Committee to discuss bussing costs.

9. ADJOURNMENT

Motion to Adjourn by M. Kennedy, seconded by C. Samaras. So voted.

Meeting adjourned at 8:46 PM.

Michael Q. Geary, City Clerk